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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,645	12/17/2003	James L. McElhannon	116521	3850
25944 7590 11/28/2007 OLIFF & BERRIDGE, PLC P.O. BOX 320850 ALEXANDRIA, VA 22320-4850			EXAMINER VETTER, DANIEL	
			ART UNIT 3628	PAPER NUMBER
			MAIL DATE 11/28/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/736,645	<b>Applicant(s)</b> MCELHANNON, JAMES L.	
	<b>Examiner</b> Daniel P. Vetter	<b>Art Unit</b> 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 September 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some    \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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## DETAILED ACTION

### *Status of the Claims*

1. Claims 1-13 are currently pending in this application.

### *Response to Arguments*

2. Applicant's arguments filed September 18, 2007 have been fully considered but they are not persuasive.
3. Applicant argues on page 1 of the remarks that the disclosure of Shindo does not teach "an error recovery module that determines a status of the automated process and the commands or responses contained therein, based on the error recovery information contained in the recovery coupon," as recited in claim 1. This argument is unpersuasive because applicant has not provided an analysis pointing out how the above claim language patentably distinguishes the invention from the cited reference. Although applicant asserts on page 2 of the remarks that "[t]he language of the machine translation is so non-idiomatic that it is impossible to draw an firm conclusions about its content," examiner respectfully maintains that the disclosure of the machine translation, while obviously containing some sentences with poor syntax, is sufficient to teach the above claim limitation to one having ordinary skill in the art (at least in the Example ¶, which discloses system components that determine the type of malfunction that occurred during the check-in process based on the failure event code). Nonetheless, for the convenience of applicant, examiner has included with this Office action a human translation of the Shindo reference (Reference N of the attached PTO-892).
4. Applicant similarly argues on page 3 of the remarks with respect to claims 10 and 12 that Shindo does not teach "generating error recovery information when an error is detected." Applicant concedes that Shindo teaches a "failure and event code" but concludes that this disclosure of Shindo is not sufficient to teach or suggest the recited

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"error recovery information." The argument is unpersuasive because applicant has not provided an analysis describing any alleged differences between Shindo's "failure and event code" and applicant's "error recovery information." Accordingly, examiner maintains that Shindo is sufficient to teach these limitations as provided in the previous Office action.

*Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 4, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Shindo, Japanese Pat. Pub. No. 09-035129 (Reference N of the PTO-892 part of paper no. 20070424).

7. As per claim 1, Shindo teaches an automated error detection and recovery system for a common use self service kiosk in which a user reads commands and inputs responses in an automated process, comprising: an error detection module that detects errors in the commands or responses that occurred during the automated process (Example ¶) and generates error recovery information (Means for Solving the Problem ¶); a printer associated with the error detection module (Means for Solving the Problem ¶), wherein the printer prints a recovery coupon containing information pertaining to the generated error recovery information (Means for Solving the Problem ¶); a document reader to read the recovery coupon and the information pertaining to the generated error recovery information (Effect of the Invention ¶); and an error recovery module that determines a status of the automated process and the commands or

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responses contained therein, based on the generated error recovery information contained in the recovery coupon (Example ¶).

8. As per claim 4, Shindo teaches the system of claim 1 as described above.

Shindo further teaches the error recovery module is contained in a server connected to an agent workstation separate from the kiosk (Example ¶).

9. As per claim 6, Shindo teaches the system of claim 1 as described above.

Shindo further teaches the user is an airline passenger and the automated process is a passenger check-in process (Abstract (see Use/Advantage); Industrial Application ¶).

*Claim Rejections - 35 USC § 103*

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shindo.

12. As per claim 3, Shindo teaches the system of claim 1 as described above.

Shindo further teaches the reader is located at an agent workstation separate from the kiosk (Effect of the Invention ¶). Shindo further teaches the error recovery module is contained in a server connected to an agent workstation separate from the kiosk (Example ¶) rather than at the agent workstation itself. However, it would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the error recovery module is located at an agent workstation separate from the kiosk because placing the module in the workstation itself rather than in a connected server is simply a matter of obvious engineering choice to eliminate the need for a

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separate server. *See In re Larson*, 340 F.2d 965, 968; 144 USPQ 347, 349 (CCPA 1965) (claims using a one-piece construction held obvious over a prior art reference that disclosed only the connected parts).

13. Claims 2 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shindo in view of Enta, U.S. Pat. No. 5,983,197 (Reference A of the PTO-892 part of paper no. 20070424).

14. As per claim 2, Shindo teaches the system of claim 1 as described above. Shindo does not explicitly teach the error detection module is contained in a server connected to the kiosk. Enta teaches the error detection module is contained in a server connected to the kiosk (Abstract). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Enta into the system taught by Shindo in order to making decisions remotely for support dispatch (as taught by Enta; Abstract).

15. As per claim 8, Shindo in view of Enta teaches the system of claim 2 as described above. Shindo further teaches the kiosk includes: a display for displaying the commands to the user (Example ¶); an operator interface for entering the responses to the commands (Example ¶); and the printer for printing at least one of finalized document and the recovery coupon (Means for Solving the Problem ¶).

16. Claims 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shindo in view of Pugliese, et al., U.S. Pat. Pub. No. 2001/0016825 (Reference B of the PTO-892 part of paper no. 20070424).

17. As per claim 5, Shindo teaches the system of claim 1 as described above. Shindo does not explicitly teach the automated error detection and recovery system is networked with an airport database. Pugliese, et al. teaches the automated error detection and recovery system is networked with an airport database (¶ 0044). It would

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have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Pugliese, et al. into the system taught by Shindo in order to access passenger records during check-in (as taught by Pugliese, et al.; ¶ 0044).

18. Claims 7 and 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shindo in view of Kimata, U.S. Pat. No. 5,043,561 (Reference C of the PTO-892 part of paper no. 20070424).

19. As per claim 7, Shindo teaches the system of claim 1 as described above. Shindo further teaches the error recovery module analyzes the status information (Effect of the Invention ¶). Shindo does not teach the error recovery module provides solutions for detected errors. Kimata teaches the error recovery module provides solutions for detected errors (column 18, lines 54-55). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Kimata into the system taught by Shindo so that a clerk can adjust fare amounts on after a check-in error (as taught by Kimata; column 18, lines 54-55).

20. As per claim 9, Shindo teaches the system of claim 1 as described above. Shindo further teaches the agent workstation includes the document reader to read the recovery coupon (Effect of the Invention ¶). Shindo does not teach the agent workstation includes: a display for displaying generated error recovery information and proposed solutions for the detected errors; an operator interface for executing the solutions; a printer for printing finalized documents. Kimata teaches the agent workstation includes: a display for displaying generated error recovery information and proposed solutions for the detected errors (column 8, line 54); an operator interface for executing the solutions (column 8, line 62); a printer for printing finalized documents (column 8, line 58). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Kimata into the

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system taught by Shindo so that a clerk can perform fare adjustment processing after an error has occurred (as taught by Kimata; column 8, lines 57-60).

21. As per claim 10, Shindo teaches a method of error detection and recovery during automated passenger check-in at a common use self service kiosk in which a passenger reads commands and inputs responses in an automated check-in process, comprising: monitoring the passenger check-in process for errors (Means for Solving the Problem ¶); generating error recovery information when an error is detected (Means for Solving the Problem ¶); printing a recovery coupon encoded with at least one of the generated error recovery information and a pointer to the error recovery information (Means for Solving the Problem ¶). Shindo does not explicitly teach correcting the detected error based on the information printed on the recovery coupon. Kimata teaches correcting the detected error based on the information printed on the recovery coupon (column 18, lines 65-68). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Kimata into the method taught by Shindo so that the passenger can proceed after an error (as taught by Kimata; column 19, line 4).

22. As per claim 11, Shindo in view of Kimata teaches the method of claim 10 as described above. Shindo further teaches reading the information printed on the recovery coupon (Function ¶) and determining the status of the commands or responses based on the information read from the coupon (Function ¶). Kimata further teaches providing at least one solution for the errors based on the information read from the recovery coupon (column 18, line 55). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Kimata into the method taught by Shindo in view of Kimata so that a clerk can perform fare adjustment processing after an error has occurred (as taught by Kimata; column 18, lines 54-55).



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23. As per claim 12, Shindo teaches a method of error detection and recovery during automated passenger check-in at a common use self service kiosk in which a passenger reads commands and inputs responses in an automated check-in process, comprising: monitoring the automated passenger check-in process at a kiosk (Means for Solving the Problem ¶); generating error recovery information at the kiosk when an error is detected (Means for Solving the Problem ¶); printing a recovery coupon at the kiosk encoded with at least one of the generated error recovery information and a pointer to the error recovery information using a printer at the kiosk (Means for Solving the Problem ¶); generating a message for display on a kiosk display instructing the passenger to bring the recovery coupon to an agent (Example ¶); reading the recovery coupon at an agent workstation (Function ¶); and determining a cause of the detected error based on the information read from the coupon (Example ¶). Shindo does not teach providing at least one solution to the error; correcting the error; and printing passenger travel documents. Kimata teaches providing at least one solution to the error (column 18, line 55); correcting the error (column 18, lines 65-68); and printing passenger travel documents (column 18, line 67- column 19, line 1). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Kimata into the method taught by Shindo so that the passenger can proceed after an error (as taught by Kimata; column 19, line 4).

24. As per claim 13, Shindo in view of Kimata teaches the method of claim 10 as described above. Kimata further teaches monitoring the passenger check-in process for potential security issues (column 18, line 56); and notifying the proper authorities when a potential security issue is detected (column 18, line 60). It would have been prima facie obvious to one having ordinary skill in the art at the time of invention to incorporate the above teachings of Kimata into the method taught by Shindo in view of Kimata in order to prevent illegal boarding (as taught by Kimata; column 18, lines 56-60).

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*Conclusion*

25. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel P. Vetter whose telephone number is (571) 270-1366. The examiner can normally be reached on Monday through Thursday from 8am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on (571) 272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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JOHN W. HAYES  
SUPERVISORY PATENT EXAMINER